

03.07.2023.
128
Ct.No.28
ss/SD
(Allowed)

C.R.M. (DB) 2457 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nakashipara P. S. Case No.158 of 2023 dated 02.03.2023 under Sections 363/365 of the Indian Penal Code and Section 6 of POCSO Act.

In the matter of : Sk. Monirul Haque @ Susanta
.... Petitioner.

Ms. Minoti Gomes
Mr. Amanul Islam
Mr. Sourav Mukherjee
...for the Petitioner.

Mr. Bidyut Kumar Roy
Ms. Sima Biswas
...for the State.

Mr. Arnab Chatterjee
... for the de facto complainant

Heard learned lawyers for the parties.

Learned lawyer for the petitioner submits there is love affair between the parties. He prays for bail.

Learned lawyer for the de facto complainant does not oppose the prayer for bail.

We have considered the materials on record. Keeping in mind the aforesaid facts, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court, under POCSO Act, Krishnagar, Nadia, subject to condition that he shall appear before the trial court on every date of hearing until further

orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)